

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

SMOOTH VAPE, LLC,	:	CIVIL ACTION
<i>Plaintiffs,</i>	:	
	:	
v.	:	
	:	
LANCASTER COUNTY	:	
PENNSYLVANIA, et al.,	:	
<i>Defendants.</i>	:	NO. 23-CV-3000

ORDER

AND NOW, this **5th** day of **March 2024**, upon consideration of Defendants' Motion for Judgment on the Pleadings (ECF No. 19), it is hereby **ORDERED** that this motion is granted in part and denied in part, for the reasons stated in the Court's Memorandum, as follows:¹

- Judgment in favor of Defendants Adams, Krause, and John Does 1-3 on Count I (Illegal Search and Seizure) is **DENIED**.
- Judgment in favor of Defendant Lancaster County on Count II (*Monell* Claim) is **GRANTED** and Count II is dismissed. Lancaster County is dismissed from this case.

BY THE COURT:

/s/ Chad F. Kenney

CHAD F. KENNEY, JUDGE

¹ The Court will not address Plaintiff's claim for declaratory judgment because the issue of whether Smooth Vape's items were legal or illegal under Pennsylvania and/or federal law at the time of search and seizure is not relevant at this stage of proceedings.